

HOUSE JUDICIARY COMMITTEE AMENDMENT NO. 1

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2245

House Bill No. 1980*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-6-305, is amended by deleting all language following the colon (:) and substituting instead the following:

- (1) The commission of criminal homicide, as defined in § 39-13-201;
- (2) Criminal conspiracy, as defined in § 39-12-103, to commit criminal homicide;

or

- (3) The commission of a violation of § 39-17-417(j).

SECTION 2. Tennessee Code Annotated, Section 40-6-306, is amended by deleting from subsection (d) the language “commission of a homicide offense or conspiracy to commit a homicide offense” and substituting instead the language “commission of a homicide offense, conspiracy to commit a homicide offense, or commission of a violation of Tennessee Code Annotated, Section 39-17-417(j)”.

SECTION 3. Tennessee Code Annotated, Section 40-6-303, is amended by adding the following appropriately numbered new definition:

() “Pen register” means a device which records or decodes electronic or other impulses which identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached, but such term does not include any device used by a provider or customer of a wire or electronic communication service for billing, or recording as an incident to billing, for communication services provided by such provider or any device used by a provider or customer of a wire communication service for cost accounting or other like purposes in the ordinary course of its business;

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SECTION 4. Tennessee Code Annotated, Title 40, Chapter 6, Part 3, is amended by adding the following as a new section:

Section _____. Any circuit or criminal court judge may issue a pen register or trap and trace order pursuant to the provisions and requirement of 18 United States Code, Section 3123, et. seq..

SECTION 5. This act shall take effect on July 1, 1996, the public welfare requiring it.

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